



3960 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

WELLS FARGO BANK, N.A., as Indenture  
Trustee for the Registered Holders of IMH  
ASSETS CORP., Collateralized Asset-Backed  
Bonds, Series 2004-11,

Plaintiffs,

vs.

THE SKY VISTA HOMEOWNERS  
ASSOCIATION; AIRMOTIVE  
INVESTMENTS, LLC, a Nevada limited  
liability company; DOE INDIVIDUALS I-X  
inclusive, and ROE CORPORATIONS I-X,  
inclusive,

Defendants.

Case No. 3:15-cv-00390-RCJ-VPC  
USCA No. 17-15977

**ORDER TO CONTINUE TRIAL  
DATE**

**(First Request)**

COME NOW Defendant THE SKY VISTA HOMEOWNERS ASSOCIATION (“Sky Vista”), Defendant AIRMOTIVE INVESTMENTS, LLC (“Airmotive”), and Plaintiff WELLS FARGO BANK, N.A., AS TRUSTEE (“Wells Fargo”), by and through their undersigned counsel, and hereby stipulate and request to continue the jury trial currently set to begin on July 20, 2020 at 8:30 a.m. The grounds for the Parties’ stipulation and request are as follows:

1. A three-day jury trial is set to begin on July 20, 2020 at 8:30 a.m.
2. There are currently two outstanding Motions for Summary Judgment.
3. On December 12, 2019, Airmotive filed its Motion for Summary Judgment (ECF 79) (“Airmotive’s MSJ”).
4. On January 17, 2020, Wells Fargo filed its Opposition to Airmotive’s MSJ (ECF



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84).

5. On January 31, 2020, Airmotive filed its Reply in Support of Airmotive's MSJ (ECF 89).

6. The Court has not rendered a decision on Airmotive's MSJ.

7. On December 13, 2019, Wells Fargo filed its Second Motion for Summary Judgment (ECF 80) ("Wells Fargo's MSJ").

8. On January 17, 2020, both Sky Vista and Airmotive filed oppositions to Wells Fargo's MSJ. *See* ECF 83 and 85.

9. On January 31, 2020, Wells Fargo filed its Reply in support of Wells Fargo's MSJ (ECF 88).

10. The Court has not rendered a decision on Wells Fargo's MSJ.

11. On March 13, 2020, Wells Fargo filed its Motion for Leave to File Supplemental Authority Supporting its Motion for Partial Summary Judgment ("Suppl. Authority Motion") (ECF 91).

12. On March 27, 2020 both Sky Vista and Airmotive filed Oppositions to Wells Fargo's Suppl. Authority Motion. *See* ECF 92 and 93.

13. The Court has not rendered a decision on Wells Fargo's Suppl. Authority Motion.

14. The precautions surrounding COVID-19 outbreak make it unlikely a jury can be impaneled for a July 20, 2020 trial. *See* April 9, 2020 Amended Temporary General Order 2020-03.

#### **Stipulation and Request**

In light of the above, the Parties stipulate to and request that:

1. The July 20, 2020 jury trial be vacated, and

2. A new three-day jury trial date be set for a time that the Court will likely be able to impanel a jury and after the Court renders its decision on Airmotive's MSJ, Wells Fargo's MSJ, and Wells Fargo's Suppl. Authority Motion.

This Stipulation is made in good faith, not for purposes of delay, but for the purposes of narrowing the issues for trial, judicial economy, and focusing the Parties' trial-preparation

resources.

DATED this 9<sup>th</sup> day of June 2020.

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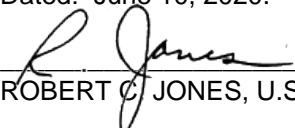
Tel: (702) 634-5000

*Attorneys for Plaintiff Wells Fargo*

IT IS ORDERED that the Calendar Call currently scheduled for 7/6/2020 and Jury Trial currently scheduled for 7/20/20 are hereby vacated and reset as follows: Calendar Call is set for Tuesday 9/8/2020 at 10:00 a.m. in Reno Courtroom 3. Jury Trial is set for Monday, 9/21/2020 at 8:30 a.m. in Reno Courtroom 3.

**IT IS SO ORDERED.**

Dated: June 10, 2020.

  
ROBERT C. JONES, U.S. DISTRICT JUDGE